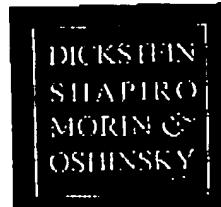


**FAX TRANSMISSION**DATE: March 2, 2006CLIENT NO.: F1866.0065MESSAGE TO: Examiner Safet MetjahićCOMPANY: USPTOFAX NUMBER: 571-273-4023

PHONE:

FROM: Ian R. Blum A handwritten signature of Ian R. Blum, consisting of stylized initials and a surname.PHONE: (212) 896-5458PAGES (Including Cover Sheet): 5 HARD COPY TO FOLLOW: YES  NO

SENT BY:		DATE/TIME:	
----------	--	------------	--

**MESSAGE:**

Re: U.S. Pat. App. No. 09/960,548  
FILE MANAGING SYSTEM

Here is the Advisory Action sent to us on February 21, 2006. Please note that Box 7 is checked by hand.

Thanks for taking the time to speak with me today.

Ian R. Blum

A handwritten signature of Ian R. Blum, consisting of stylized initials and a surname.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to our Facsimile Department at 212-835-1454, and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/060,548	09/20/2001	Tomohiro Igakura	P/1866-65	5904
7590	05/04/2005		EXAMINER	
			CHEN, TE Y	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 05/04/2005				

STEVEN I. WEISBURD  
 DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
 1177 AVENUE OF THE AMERICAS  
 41st FLOOR  
 NEW YORK, NY 10036-2714

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
 MAY 10  
 DICKSTEIN SHAPIRO

DSMO FILE NO. F1866.0065  
 REC'D (1) May 28, 2005  
 C/L: \_\_\_\_\_  
 ENTERED BY: Yan  
 ATTY: M.S./JRB

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No. 09/980,548	Applicant(s) IGAKURA, TOMOHIRO
Examiner Susan Y. Chen	Art Unit 2181

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

THE REPLY FILED 31 March 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a)  The period for reply expires 3 months from the mailing date of the final rejection.
  - b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a)  They raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  They raise the issue of new matter (see NOTE below);
  - (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  They present additional claims without canceling a corresponding number of finally rejected claims.
- NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_

6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: \_\_\_\_\_

Claim(s) withdrawn from consideration: \_\_\_\_\_

**AFFIDAVIT OR OTHER EVIDENCE**

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
Applicant merely rehashes issues already addressed on records.

12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).

13.  Other: \_\_\_\_\_

  
SAFET METJAMIC  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

<b>Interview Summary</b>	Application No. 09/960,548	Applicant(s) IGAKURA, TOMOHIRO
	Examiner Susan Y. Chen	Art Unit 2161

All participants (applicant, applicant's representative, PTO personnel):

- (1) Susan Y. Chen. (3) \_\_\_\_\_.
- (2) Jan R. Blum. (4) \_\_\_\_\_.

Date of Interview: 18 April 2005.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: U.S. Patent No. 6,580,631.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



SAEF METJAHIC  
SUPERVISOR, EXAMINER  
TECHNOLOGY

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.

Examiner's signature, if required

**Continuation Sheet (PTOL-413)****Application No. 09/960,548**

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner contacted applicant's attorney based on the request on the amendment filed on 03/31/2005 and directed applicant's attention to the mappings of the prior art and the claimed subject matters. Applicant responded that he could not access the claim language during the conversation and would callback to address his concerns, however, there was no follow-up responses, thus, the examiner assumes applicant agrees with the examiner's mapping.

*Uyen Le*  
UYEN LE  
MARY EXAMINER